

Message Text

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60

ORIGIN EUR-12

INFO OCT-01 ISO-00 COME-00 STR-01 TRSE-00 L-02 AGR-05

CEA-01 CIAE-00 DODE-00 EB-07 FRB-01 H-01 INR-07

INT-05 LAB-04 NSAE-00 NSC-05 PA-01 RSC-01 AID-05

CIEP-01 SS-15 TAR-01 PRS-01 SP-02 OMB-01 FEA-01 SSO-00

NSCE-00 USIE-00 INRE-00 /081 R

DRAFTED BY EUR/EE:RACHRISTENSEN:MV

APPROVED BY EB/ITP/OT:MGLITMAN

COMMERCE - MLEVINE

STR - GREENWALD

TREASURY - HUME

L - PITTMAN (SUBSTANCE)

EUR/EE:CBROWN

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O P 170033Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST IMMEDIATE

INFO USMISSION EC BRUSSELS PRIORITY

CONFIDENTIAL STATE 011505

E.O.11652: GDS

TAGS: EEWHT, RO

SUBJECT: US-ROMANIAN TRADE AGREEMENT: POSSIBLE

MODIFICATION OF ARTICLE XII PARA 2 RELATING

TO DURATION

REF: BUCHAREST 0188

1. WASHINGTON AGENCIES AGREE WITH IDEA OF CONSULTATIONS
IN CASES WHERE SUSPENSION OF PORTION OF AGREEMENT MAY BE
NECESSARY AND ARE WILLING TO MEET ROMANIAN CONCERNS THAT
SUSPENSION NOT BE LIMITED TO ARTICLE I. PARAGRAPHS 2(A)
AND (D) OF PROPOSED TEXT ARE ACCEPTABLE.

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2. WE ARE CONCERNED, HOWEVER, THAT THE FIRST SENTENCE OF

PARAGRAPH 2(C) COULD LEAD TO A SITUATION IN WHICH PARTIES
PICK AND CHOOSE AMONG ARTICLES WHICH THEY MIGHT FIND
BURDENSOME AND GRADUALLY ERODE THE AGREEMENT. TO MEET
THIS CONCERN DELEGATION MAY SUGGEST FOLLOWING CHANGE IN
PARAGRAPH 2(C): BEGIN TEXT: IF EITHER PARTY IS UNABLE
TO CARRY OUT ANY OF ITS OBLIGATIONS UNDER THIS AGREEMENT,
THE OTHER PARTY MAY SUSPEND OR TERMINATE THE SAME OBLIGA-
TION OR THE APPLICABILITY OF THIS AGREEMENT. IF EITHER
PARTY TAKES ACTION UNDER THE PRECEDING SENTENCE, THAT
PARTY WILL, TO THE FULLEST EXTENT PRACTICABLE AND CON-
SISTENT WITH DOMESTIC LAW, SEEK TO MINIMIZE DISRUPTION TO
EXISTING TRADE RELATIONS BETWEEN THE TWO COUNTRIES. END
TEXT.

3. SECOND SENTENCE OF PARAGRAPH B SHOULD BE CHANGED TO
READ: QUOTE: ONCE CONSULTATIONS HAVE BEEN REQUESTED,
THE OTHER PARTY SHALL ENTER INTO SUCH CONSULTATION AS
SOON AS POSSIBLE. END QUOTE. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, ARTICLE XII, TRADE AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE011505
Document Source: CORE
Document Unique ID: 00
Drafter: RACHRISTENSEN:MV
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750017-0957
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750141/aaaabkir.tel
Line Count: 79
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 BUCHAREST 0188
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 16 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 APR 2003 by MartinML>; APPROVED <17 SEP 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US-ROMANIAN TRADE AGREEMENT: POSSIBLE MODIFICATION OF ARTICLE XII PARA 2 RELATING
TAGS: EEW, ETRD, RO, US
To: BUCHAREST
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006